

REMARKS

Claims 18-34, 63 and 64 are pending. Claims 65-84 have been added. Allowance of Claims 18-34 and 63-84 is requested.

Remarks Regarding Rejection of Claims in Parent Application

In an Office Action dated May 18, 2000 (hereinafter, the "first Office Action"), issued in the parent application of this continuation application, Claims 18, 21-33, 63 and 64 (Claims 63 and 64 were numbered as Claims 65 and 66 in the parent application) were rejected under 35 U.S.C. § 102 as being anticipated by Cobbley et al. (U.S. Patent No. 5,614,940). In response to that rejection of claims in the first Office Action, Applicants stated, in a Response to Office Action dated September 18, 2000 (hereinafter, the "first Office Action response"), submitted to the Patent Office in the parent application of this continuation application:

... Cobbley et al. teach a means for controlling ... that is part of the same device (and, more particularly, the same display) that embodies a means for displaying audiovisual information Cobbley et al. neither teach nor suggest that a means for controlling operation of a system for reviewing a body of audiovisual information, which means for controlling includes a graphical user interface for enabling specification of control instructions, is physically separate from a means for displaying the audiovisual information. Thus, Claim 18 is allowable over the teaching of Cobbley et al.

In an Office Action dated December 19, 2000, issued in the parent application of this continuation application (hereinafter, the "second Office Action"), the Examiner stated:

Applicant argues with respect to claim 18 that the Cobbley reference does not disclose a "means for

controlling" which is physically separate from a "means for controlling operation of the system. Applicant points to many facets of the displayed GUI of Figure 2 of the reference in order to substantiate the notion that the displayed GUI and the display itself are inseparable. However, the examiner clearly drew a distinction in the rejection between the display of the client system and the remainder of the client --- often called the CPU. A GUI is simply a series of software routines, and a display device is a passive data output device. Consequently, it can not be said that a GUI is a means for controlling operation of a system. All other arguments to claims 18, 21-33, 65, and 66 appear to stand with the argument of physical separateness.

First, Applicants did not argue with respect to Claim 18 that Cobbley et al. do not disclose a "means for controlling" which is physically separate from a "means for controlling operation of the system." Rather, Applicants contended that Cobbley et al. neither teach nor suggest that a means for controlling operation of a system for reviewing a body of audiovisual information, which means for controlling includes a graphical user interface for enabling specification of control instructions, is physically separate from a means for displaying the audiovisual information. The Examiner has not controverted that contention.

The Examiner stated that "it can not be said that a GUI is a means for controlling operation of a system." However, a GUI can be - and, Applicants expect, either always or nearly always is - at least part of a means for controlling operation of a system. Claim 18 recites that a means for controlling operation of a system includes a graphical user interface (GUI) for enabling specification of control instructions and that the means for controlling is physically separate from a means for displaying.

If a means for displaying and a GUI are embodied in the same apparatus (at least in part), as Applicants contend is the case with the system taught by Cobbley et al., then it cannot be said that the means for displaying and a means for controlling including the GUI are physically separate, since the means for displaying and part (at least) of the means for controlling are embodied in the same apparatus. Thus, Cobbley et al. do not teach (nor do they suggest) a system as recited in Claim 18.

It is also not clear how the Examiner's conclusion that "it can not be said that a GUI is a means for controlling operation of a system" follows from the stated premises that "[a] GUI is simply a series of software routines" and "a display device is a passive data output device" (emphasis in original). For instance, even if "[a] GUI is simply a series of software routines," that does not preclude the GUI from constituting, either in whole or in part, means for controlling operation of a system. A "means" (and, in particular, a means for controlling operation of a system) can certainly be embodied by software. (Further, it is not clear that the statement that "[a] GUI is simply a series of software routines" is correct. A graphical user interface cannot be embodied without a visual display device to display the interface to a user.) Additionally, the Examiner's statement that "a display device is a passive data output device" does not seem relevant to whether a GUI is a means for controlling operation of a system, unless the Examiner contends that a GUI is, or is part of, a display device (since the Examiner is presumably contending that a passive data output

device cannot be a means for controlling operation of a system). However, the Examiner has contended that "[a] GUI is simply a series of software routines;" according to that definition of a GUI, a GUI cannot be, or be part of, a display device.

Additionally, the Examiner's assertion that a CPU constitutes all of a client system other than the display of the client system is incorrect. "Client system" is a general term that can refer to a variety of combinations of apparatus; Applicants expect that none or almost none of those combinations of apparatus will be comprised of only a CPU and a display device. In any event, such a distinction does not address the limitations of Claim 18.

Finally, the Examiner stated that "[a]ll other arguments to claims 18, 21-33, 65, and 66 appear to stand with the argument of physical separateness." This is inaccurate. In the first Office Action response, Applicants identified a number of limitations recited in Claims 21-33, 65 and 66 (Claims 65 and 66 being numbered as Claims 63 and 64 in the present application) that are neither taught nor suggested by Cobbley et al. (see pages 7-8 of the first Office Action response). In particular, Applicants contended that none of the limitations recited in Claims 24, 25 and 28-32 are taught or suggested by Cobbley et al. In the first Office Action, the Examiner stated only "[a]s to claims 21-33, note once more the interface of Figure 2 and the corresponding disclosure of col. 11, lines 1+, where all elements of the claims are met." Applicants request that the Examiner particularly identify where each of the limitations of Claims 21-33, 63 and 64

(and, in particular, the limitations recited in Claims 24, 25 and 28-32) are taught or suggested by Cobbley et al.

New Claims

Claims 65-84 have been added. Claims 65 and 66 correspond in content to Claim 18 and are therefore allowable for the same or similar reasons. Claim 67 is similar in content to Claim 1 of the parent application of this continuation application (Claim 1 was allowed in that application) and is allowable for similar reasons. Claims 68-84 each depend, either directly or indirectly, on Claim 67 and are therefore allowable as dependent on an allowable claim. Support for Claims 65-84 can be found throughout Applicants' specification and in the originally pending claims in the present application and the parent application.

CONCLUSION

Claims 18-34, 63 and 64 were pending. Claims 65-84 have been added. Allowance of Claims 18-34 and 63-84 is requested. If the Examiner wishes to discuss any aspect of this application, the Examiner is invited to telephone Applicants' undersigned attorney at (408) 945-9912.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 27, 2001.

11-27-01 David R. Graham
Date Signature

Respectfully submitted,

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Version with Markings to Show Changes Made

(Additions are underlined, deletions are enclosed in brackets)

In the specification:

The paragraph beginning at page 10, line 20 has been amended as follows:

In another aspect of the invention, a system for reviewing a body of audiovisual information that can vary with time (e.g., the content from one or more news broadcasts) includes: i) a mechanism for displaying the audiovisual information; and ii) a mechanism for controlling operation of the system, the mechanism for controlling being physically separate from the mechanism for displaying and including a graphical user interface for enabling specification of control instructions. The mechanism for controlling can advantageously be made portable. Further, the system can advantageously include a mechanism for 2-way wireless communication between the mechanism for displaying and the mechanism for controlling. The graphical user interface can include one or more of the following: i) a playback control region for enabling specification of control instructions that control the manner in which the audiovisual information is displayed on the means for displaying; ii) a map region for providing a description of the subject matter content of the audiovisual information and for enabling specification of control instructions that enable navigation within the audiovisual information; iii) a related information region for displaying a portion of, or a representation of, a segment that is related to

a segment being displayed by the mechanism for displaying; and

iv) a secondary information display region for displaying a secondary information segment that is related to a segment of the audiovisual information that is being displayed by the mechanism for displaying. In particular, the playback control region can include one or more of the following: i) an interface that enables selection of one of a plurality of subject matter categories, all of the segments of the audiovisual information corresponding to a particular subject matter category being displayed in response to the selection of that subject matter category; ii) an interface that enables variation of the apparent display rate at which the audiovisual information is displayed; iii) an interface that enables specification of the display of a summary of a segment of the audiovisual information; iv) an interface that enables the display to be paused, then resumed at an accelerated rate that continues until the display of the audiovisual information coincides with the display that would have appeared had the display not been paused; v) an interface that enables termination of the current segment display and beginning of a new segment display; and vi) an interface that enables repetition of the current segment display. The map region can further identify a segment of the audiovisual information that is currently being displayed and/or identify each segment of the audiovisual information that has previously been displayed.

In the claims:

Claims 65-84 have been added as follows:

65. (New) A method for reviewing a body of audiovisual information that can vary with time, comprising the steps of:

displaying the audiovisual information with a display device; and

controlling review of the body of audiovisual information with a user control device, the user control device being physically separate from the display device, the user control device including a graphical user interface for enabling specification of control instructions.

66. (New) A computer readable medium or media encoded with one or more computer programs for enabling review of a body of audiovisual information that can vary with time, comprising:

instructions for displaying the audiovisual information with a display device; and

instructions for controlling review of the body of audiovisual information with a user control device, the user control device being physically separate from the display device, the user control device including a graphical user interface for enabling specification of user control instructions by a user.

67. (New) A system for acquiring and reviewing a body of information, wherein the body of information includes a plurality of segments, each segment representing a defined set of information in the body of information, the system comprising:

means for acquiring data representing the body of information;

first display means for generating a display of a first segment of the body of information as the data representing the first segment is acquired by the means for acquiring;

means for comparing data representing a segment of the body of information to data representing a different segment of the body of information to determine whether, according to one or more predetermined criteria, the compared segments are related; and

second display means for generating a display of a portion of, or a representation of, a second segment of the body of information, wherein the second display means displays the portion or representation of the second segment in response to the display by the first display means of a first segment to which the second segment is related.

68. (New) A system as in Claim 67, wherein:

the means for comparing is adapted to determine whether the first segment is related to other segments of the body of information as the data representing the first segment is acquired by the means for acquiring; and

the second display means displays the portion or representation of the second segment during the display of the related first segment by the first display means.

69. (New) A system as in Claim 67, wherein one or more segments of the body of information have previously been categorized by identifying each of the one or more segments with one or more subject matter categories, the system further comprising means for categorizing the first segment according to subject matter, the means for categorizing comprising:

means for determining the degree of similarity between the subject matter content of the first segment and the subject matter content of each of the previously categorized segments;

means for identifying one or more of the previously categorized segments as relevant to the first segment based upon the determined degrees of similarity of subject matter content between the first segment and the previously categorized segments; and

means for selecting one or more subject matter categories with which to identify the first segment based upon the subject matter categories used to identify the relevant previously categorized segments.

70. A system as in Claim 69, wherein the means for categorizing is adapted to operate as the data representing the first segment is acquired by the means for acquiring.

71. A system as in Claim 69, wherein the means for determining the degree of similarity comprises means for performing a relevance feedback method.

72. (New) A system as in Claim 67, wherein:

the means for acquiring data further comprises means for acquiring television broadcast signals; and

the first segment is represented by television broadcast signals.

73. (New) A system as in Claim 72, wherein:

the means for acquiring data further comprises means for acquiring computer-readable data over a computer network from an information providing site that is part of the network; and

the second segment is represented by computer-readable data.

74. (New) A system as in Claim 73, wherein the second display means displays a text display of a portion or representation of the second segment.

75. (New) A system as in Claim 73, wherein:

the first display means is a television; and

the second display means is a computer display monitor.

76. (New) A system as in Claim 72, wherein the second segment is represented by television broadcast signals.

77. (New) A system as in Claim 76, further comprising means for selecting a segment for which a portion or representation is displayed by the second display means, wherein selection of such segment causes the first display means to display the selected segment.

78. (New) A system as in Claim 67, wherein the first and second display means are physically separate.

79. (New) A system as in Claim 67, further comprising means for controlling operation of the system.

80. (New) A system as in Claim 79, wherein the means for controlling is physically separate from the first display means.

81. (New) A system as in Claim 80, wherein the means for controlling is portable.

82. (New) A system as in Claim 80, further comprising means for enabling wireless communication between the first display means and the means for controlling.

83. (New) A system as in Claim 79, wherein the means for controlling and the second display means are embodied in the same apparatus.

84. (New) A system as in Claim 79, wherein the means for controlling comprises a graphical user interface for enabling specification of control instructions.